

Atty. Docket No.
005313.00001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of:

Marc D. Van Heyningen

Examiner: L. Son

U.S. Pat. App. No.: 09/782,593

Group Art Unit: 2135

Filing Date: February 12, 2001

For: METHOD AND APPARATUS FOR PROVIDING SECURE STREAMING DATA
TRANSMISSION FACILITIES USING UNRELIABLE PROTOCOLS

DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450,
Alexandria, Virginia 22313-1450

OK
Examiner Considers
His 03/31/05

Sir:

I, Marc D. Van Heyningen, do hereby declare as follows:

1. I am named as the inventor in U.S. Patent Application No. 09/782,593, filed February 12, 2001. I am an employee of Aventail Corporation having a place of business at 808 Howell Street, Second Floor, Seattle, Washington 98101, and I am over the age of eighteen years.

2. I am advised that Exhibit A contains a true and correct copy of the claims currently pending in U.S. Patent Application No. 09/782,593, namely claims 1-22. I have read and understand these claims.

3. I also have been informed that the United States Patent and Trademark Office has rejected claims 4-7 and 10-22 as contained in Exhibit A based upon U.S. Patent Application No. 2002/0094085 A1 to Roberts. I understand that the Roberts patent claims an effective U.S. filing